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CANADA

AND

SOUTH AUSTRALIA.

A COMMENTARY

ON THAT PART OF

THE EARL OF DURHAM'S REPORT

WHICH RELATES TO THE

DISPOSAL OF WASTE LANDS

AND

EMIGRATION.

In Three Papers,

DELIVERED AT THE SOUTH AUSTRALIAN ROOMS,
No. 5 ADAM STREET, STRAND.

By THORNTON LEIGH HUNT.

LONDON:
PRINTED FOR A. GOLE & CO., 5 ADAM STREET, STRAND,
AND SOLD BY ALL BOOKSELLERS.

1839.

LONDON:
PRINTED BY CHARLES REYNELL,
LITTLE PULTENEY STREET.

TO

EDWARD GIBBON WAKEFIELD, ESQ.

My dear Sir,

I have not thought it worth while to ask your permission to address you, not only on account of the smallness of the occasion, but because, although I may be scarcely entitled to claim your attention, you are so completely identified with that admirable system of which you are the founder, that all those who labour in spreading the benefits of that system, however humbly, may consider your indulgence as a common right. It is true that I, who have derived from your writings (as many others have done) all the most valuable part of what I know on the subject of colonization, am, perhaps, too ready to claim my supposed right; but I seek, to pay what I owe you, by turning to its proper account the knowledge which I have borrowed; just as the acorn returns to the soil whence itself has sprung.

The substance of the following papers was delivered at the evening meetings of Subscribers to the South Australian Rooms. The exclusive nature of my audience was an advantage to me, inasmuch as my hearers were willing to extend considerable indulgence to a member of their own society, in his endeavour to forward a common cause,—but a disadvantage, inasmuch as to enlarge on many topics comprehended in the inquiry was to fatigue the ears of those who were already familiar with many (at least) of the facts to be related. I was desirous to make the contrast which I had undertaken as complete as possible; but I may have been insensibly restricted in drawing one side of the picture, by the consideration to which I have adverted. In preparing the following pages for the press, I have endeavoured to supply what was previously wanting; but I have been somewhat hindered rather by the pressure of other occupations, than by the tedium of reconstructing sentences which, however little they may confirm the assertion, had already cost me much trouble in collection and arrangement.

The three papers comprise the spirit of that part of Lord Durham's Report on Canada, to which they immediately refer, with a corresponding statement of facts illustrative of the working of the Wakefield system in South Australia, and such a commentary on the causes of the prosperity of the one Colony and the adversity of the other, as would suggest itself to every one acquainted with the history of South Australia, on perusing Lord Durham's volume. The papers were written, not with any view even partially to supersede the circulation of the entire Report, but to place within the reach of the busiest South Australian that most valuable portion which more immediately touches him. Many considerations may suggest themselves, which I have omitted to discuss; for I thought it would be most convenient strictly to confine myself to the points of comparison specifically suggested by the Report. I have sought for no novelty; I have laboured to produce nothing stranger than the facts; and if I have any merit, it is that of a patient journeyman in diligently employing the materials at hand.

I rejoice to see that the same powerful mind

which grappled with the Canadian chimera, has lent its countenance to an enterprize most pregnant with future advantage to this country,—the Colonization of New Zealand. So far from feeling any jealousy, I am convinced that the most intelligent among the friends of South Australia regard with the highest satisfaction the first step taken toward securing that the land which must one day be the Britain of the Southern hemisphere shall be peopled by veritable Britons, the own brethren of the South Australians. And when, at a future day, it is called to mind, that the position of English and French might have been reversed in the south (for who can estimate the influence of geographical agencies?), the name of that nobleman who saw the true policy and acted up to it, while the Government of the day were blind and passive, will be remembered with gratitude and honour. How much more reason will the millions of Britons in New Zealand have to honour the name of *Durham*, than the Virginians that of *Elizabeth*?

I am, my dear Sir,

Yours very faithfully,

T. L. HUNT.

Glasgow, June 26, 1839.

I.

DISPOSAL OF WASTE LANDS.

Of recent documents on colonial matters, the *Report* of the Earl of Durham *on the Affairs of British North America*, is the most remarkable. Exposing as it does the vices and evils of older plans of colonization, it is especially interesting to the supporters of the new system which has immortalized its propounder; it exposes in detail the miseries consequent upon errors, so vital and so vast, which have nullified the natural riches of Canada, and confirms the hope, that, in the first colony to which the Wakefield system has been applied, the avoidance of those errors will have prevented the miseries from making their appearance.

The theory of colonization involves no question of controversial politics, unless it be indirectly and remotely; and I have no wish to obtrude opinions of that nature in the course of an inquiry to which they would be utterly impertinent. I have no desire to beg the suffrages

of a mixed auditory in behalf of a particular class of opinions, because they happen to be such as I entertain myself. It would, nevertheless, be a useless affectation, were I on any occasion to conceal my admiration of the paper which I have mentioned. For the comprehensiveness of its grasp, and that dispassionate tone of feeling which exalts it above the considerations of party, it is unrivalled among the state papers which I have perused. The writer has attained the power of at once approaching his subject with all the closeness demanded by the most intimate inquiry,—the most searching analysis,—and of withdrawing from it again, so as to embrace it at one view, in its general features and in its integrity.

But there is one passage in the report which immediately engages the attention of the South Australian; it is that which treats of the disposal of waste lands and emigration. It may be regarded as supplementary to the report of Mr Ward's committee, from whose consideration Canada was expressly excluded; with this advantage, that the Canadian inquiry has been instituted on the spot, and that the reporter speaks with all the concentrated information and authority of the very best witnesses which his commanding station enabled him to select.

There is, however, one thing wanting to the coincidence, that the circumstances of the two colonies are not equal: one has been founded 200 years, and the other but two.* Yet this discrepancy will quickly be seen even to add a new feature of interest to the resemblance.

Another objection may be urged, which also I would fain translate into a similar advantage, that it has already been anticipated by the author of *England and America.* In that work, however, the argument, as to one side of the question, was altogether based on theory; while even as to the other side, the data were perhaps less recent and less authoritatively acquired. We have now the most authentic documents, the most comprehensive and condensed review of the facts of the Canadian system; while the theory upon which South Australia was founded, has been tested by the most speaking facts. It is my office once more to place the two pictures, under new circumstances, in juxta-position.

* The colony was proclaimed by the Governor on the 28th of December 1836, immediately after his landing; the date of the intelligence last received, when this paper was read, was November 1838; the date of the latest intelligence received since is 22d January 1839. It is not three years since the surveying corps first landed; but the history of the colony, as such, extends over a period of *but two years.*

Lord Durham tells us, after a brief and masterly introduction of his subject, developing the chief objects to be sought in the disposal of waste lands, that he was met, on his arrival in the colony, by "innumerable complaints of abuse, and applications for justice or *favour*,"—(the word is pregnant with instruction,)—"which had slumbered during previous years." "During my residence in the Canadas," he continues, "scarcely a day passed without my receiving some petition or representation relating to the crown lands' department; and matters belonging to this branch of government necessarily occupied a far larger proportion than any other of my correspondence with the Secretary of State." The noble lord then appointed a Commission of Inquiry, not without a reference to the "new method" pursued in the Australian colonies, the remarkable success of which, he says, gave him a hope that he should be able to recommend beneficial reforms in Canada.

The first thing that strikes the reporter, on entering upon the inquiry, is the remarkable distinction between the high state of prosperity uniformly observable on the United States' side of the frontier, as contrasted with the "backward and *stagnant*" condition of the British provinces, and of the contiguous one of New Brunswick in particular. The distinction is so marked, that a traveller following a path which

intersected the more devious boundary at several places, could always tell on which side of the line he happened to be by the state of the land; although the advantages of natural fertility seem to preponderate in the British territory. But the disposal of waste lands in the United States has been regulated, since 1796, by a system of sale: in Canada it has been regulated by no system at all.

"In the British North American colonies," says the *Report*, "with one partial exception, there never has been, until quite recently, any law upon the subject. The whole of the public lands have been deemed the property of the Crown, and the whole administration for disposing of them to individuals, with a view to settlement, has been conducted by officers of the Crown, under instructions from the Treasury or the Colonial department in England. The provincial assemblies, except quite recently in New Brunswick and Upper Canada, have never had any voice in this matter, nor is the popular control in these two cases much more than nominal. The Imperial Parliament has never interfered but once, when, leaving all other things untouched, it enacted the unhappy system of "Clergy Reserves." With these very slight exceptions, the Lords of the Treasury and Colonial Secretary of State for the time being have been the only legislators; and the provincial agents of the Colonial Secretary, responsible to him alone, have been the sole executors."—*Report*, p. 74.

"Although hitherto the administration of this branch of the public service has been conducted upon similar principles, the actual practice has been and continues to be different in each colony. In no two colonies, in fact, has the

same system prevailed at the same time. In Upper Canada, to select a single epoch, after 1804, land was granted, upon the payment of fees, to almost every applicant, in lots of from 100 to 1,200 acres, in addition to the free grants to privileged persons, and till 1818 the grants were free from all conditions. In Lower Canada, at the same time, land was being granted in tracts of from 10,000to 40,000 acres, subject to the conditions of settlement. In New Brunswick land was granted, subject to the payment of a quit-rent; while in Nova Scotia, till the year 1808, all grants of land were absolutely forbidden. And even when an uniform system of sale was professedly established, the practices in the different colonies have been as variable as they previously had been. In Upper Canada, payment of the first instalment was never required at the time of sale;* the no-

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* Crown lands, and lands belonging to the Canada Company, are sold upon the following conditions; viz. one-fourth of the purchase-money is required to be paid down, and the remainder, with interest, in three *annual* instalments; on clergy reserves one-tenth is required to be paid down, and the remainder in *nine annual* instalments." [Ample room and verge enough!] * * * "Very few persons of this class [settlers who purchase of Government] succeed in paying the remaining instalments; I might mention, as an instance of the effects produced by the method of taking payment by instalments, that in 1832 a number of settlers who had been sent out by the Petworth committee, were located in Adelaide [U. C.] and Warwick, on 100 acres of land each, which was valued at 10s. per acre, they were to pay the *first* instalment in three years with interest; provisions and implements were furnished by the Government, for which acknowledgments were taken, in which they engaged to repay the amount after

minal price averaged 10s. per acre, and after 1833 interest was required upon unpaid instalments; in Lower Canada payment of the first instalment was always required; the price of land has been about 3s. 6d. per acre, and interest has never been demanded. In New Brunswick the price has been about 2s per acre, and interest has never been required. In Nova Scotia the same price, and the practice

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receiving the patent of their lands; *there has not been a single instance in which they have fulfilled their engagements* from their labour, or the produces of their lands; there have been *only two* instances in which *any* payment has been made; in these cases the individuals have sold their improvements to wealthier settlers. In the Bathurst district a number of indigent settlers were located upon free grants of land, to whom the Government made advances of provisions and implements, taking acknowledgments for the money thus advanced; the whole of this sum, amounting to nearly 30,000*l.* currency, has been abandoned by Government; and not to dwell upon these perhaps exceptional instances, I believe, that in fact, a very large proportion of those who have purchased land of Government have not paid their instalments as they became due.—Do you know if any means have been adopted to enforce the payment of such arrears?—I believe not in a single instance. The individuals who purchase land in this manner, and have paid only the first instalment, have not however obtained a satisfactory title to their land?—They have not; the deed never issues until the whole of the instalments, with the interest, has been paid up." A transfer (by sale) of these rights has been authorised (by the Provincial Parliament).—*Evidence of Mr A. B. Hawke, Chief Agent for Emigrants, U. C.; Min. Ev., Appendix B. qq.* 1005-9, *p.* 113.

of not requiring interest, has prevailed; but nearly all the land occupied for the purpose of settlement has been disposed of by free grant, in spite of the instructions of the Home Government, or has been occupied by squatters. In both Upper and Lower Canada also large free grants of land have been made up to the present moment, in fulfilment of previous engagements on the part of the government, while in New Brunswick no land has been disposed of, excepting by sale, since 1828. In New Brunswick, land required, or supposed to be required, for actual settlement, has been sold at 2s. and 2s. 6d. per acre, while timber land has been sold at as high a price as 10s. In Lower Canada, on the contrary, timber land has been sold at as low, and in many cases, at a far lower price, than other land. The purchase in the district of Gaspé, particularly referred to hereafter, which was made entirely for the sake of the timber, was at an average price of about 3s. per acre. * * * * In fact, there is scarcely a single particular, from the mode in which land was selected for sale by the governor to the manner in which the title was obtained after the completion of the purchase, in which different and even opposite practices did not prevail, under what was intended and assumed to be an uniform system."—*Special Report, by Mr Charles Buller, Appendix B., p.* 14.

Such is an epitome of the *system*,—to use a word little applicable, for want of one more apt,—pursued in Canada. The very next paragraph to the one which has been quoted from the chief report, gives a summary of the plan used in the United States; and it presents a most striking contrast:

"The system of the United States appears to combine all the chief requisites of the greatest efficiency. It is

uniform throughout the vast federation; it is unchangeable, save by Congress, and has never been materially altered; it renders the acquisition of new land easy, and yet, by means of a price, restricts appropriation to the actual wants of the settler; it is so simple as to be readily understood; it provides for accurate surveys, and against needless delays; it gives an instant and secure title; and it admits of no favouritism, but distributes the public property amongst all classes and persons upon precisely equal terms. That system has promoted an amount of immigration and settlement, of which the history of the world affords no other example; and it has produced to the United States a revenue which has averaged about half a million sterling per annum, and has amounted in one twelvemonth to above four millions sterling, or more than the whole expenditure of the federal Government."

It is not my purpose, however, to pursue the comparison between Canada and the United States; and I have only done so thus far in order to show, at the commencement of the comparison which it is my purpose to make, that like causes will produce, in all regions, like effects.

The system adopted in South Australia is both an enlargement and an improvement of the system of the States: there is the *bonâ fide* price attached to land; but it is rated higher, and, the price being fixed at 20s. per acre, the disposal of land is not subject to the abuses and disturbing agencies which belong to the mode of sale by auction; the effects of that higher

rating are aided by the appropriation of the funds accruing to the charge of the emigration of labour; and the efficiency of the emigration is enhanced by the plan of selecting emigrants in the flower of life and in equal portions of the sexes. Such is a general description of the Wakefield system; but in comparing the details of that system and its results, with the results of the official anarchy of the Canadas, it will be well to take Lord Durham's Report in a categorical order.

We have seen that Lord Durham says, that "the whole of the public lands [in Canada] have been deemed the property of the Crown." Founded perhaps on the theory of tenures on this side of the Atlantic, the gross literalisation of that theory has proved a fatal mistake. While, on the one hand, the Crown conceived itself justified in giving the utmost latitude to its servants and favourites, and saw but little need of economy in a property of which the value was a matter of remote and refined calculation, rather than felt in the most sensitive part, the exchequer, at the time of bestowal; on the other, emigrants, yielding to the experiences and prejudices of their home, attached to the bare possession of land ideas of immense wealth and power. The wider the land of an Englishman, the greater the man. Why not so

then in Canada, where the land was so rich? The proprietary governors and seigneurs of North America hoped to transplant their nobility to a fertile soil, and to out-do their brethren at home in the lordliest of all attributes. The emigrants, therefore, were greedy for quantity in the lands allotted to them, and their appetite received no check from the scruples of the Crown, which assumed to itself, but did not perform, the functions of a controuling power.

The property in colonial waste lands has now, however, been virtually and tacitly transferred from the Crown to the empire at large, the Crown retaining merely its due share of influence as *one* of the three estates. The consequence is, not only a more efficient, a *bonâ fide* control over the disposal of land, a controul emanating from those who both have and feel the deepest interest in the subject; but it secures to the purchaser a title unpolluted by the innumerable incumbrances and flaws arising from the so-called prerogatives of the Crown, the caprice of kingly founders, and the negligence and corruption of the long train of officials through whom it is transmitted. Into the abstruse and difficult subject of tenures I cannot be expected to enter very deeply; but it is obvious that the South Australian landowner holds his property by a very different

title to that of the purchaser of lands subject to seigneurial rights; or to that of the English Canadian, whose title is frustrated by the delays, inaccuracies, and complicated absurdities coincident with the absence of system. I should much like to hear the opinions of some of the gentlemen connected with this association, on the nature of land tenures in South Australia; I can conceive no inquiry more interesting to this society, composed as it is of proprietors and of the most active supporters of a colony to which the reformed system has been first applied.

We will, however, follow the Report. After the passages which I have read, Lord Durham proceeds more minutely to describe the almost endless diversity and confusion of the Canadian methods. "In only one respect (he says) has there been uniformity. Everywhere the greatest profusion has taken place, so that in all the colonies, and nearly in every part of each colony, more, and very much more, land has been alienated by the government, than the grantees had at the time, or now have the means of reclaiming from a state of wilderness; and yet, in all the colonies until lately, and in some of them still, it is either very difficult, or next to impossible for a person of no influence to obtain any land."

This is indeed surprising! we have heard of the reckless profusion; we know on what worthless and what improper objects that profusion has been lavished; and we have sought some shadow of excuse for it, in supposing, that if uncontrouled, the bestowal of land was also free,—as free as possible,—as free as the air, or as the sun which shines equally on all, the "God kissing carrion." We might have supposed that our destitute countrymen, who had the courage to face the dangers of the ocean and the wilderness, had but to enter upon the land, had but to apply his labour, to reap at once the reward of his enterprise. But it is not so; poverty and helplessness, we now perceive, are only poorer and more helpless among the tantalizing riches of the Canadian soil; the laws of folly and selfishness have decreed that the fruits of the land shall rot on the ground in order that the map of the country may flatter its nominal possessors with a show of broad lands, while the wilderness remains as a decoy for misery, to mock it on a near approach with added wretchedness and disease.* It appears indeed that

* By withdrawing attention from every part of the colonies, except that which belonged to the Crown, it [the neglect to take into consideration the state of lands appropriated to individuals, but remaining in a wild state] has led the governmen to act as though this were the whole, or

the operation of the free-grant system has had a tendency, not to enrich the poor, but to pauperise the richer emigrants.

One of the charges put forward against the South Australian Commissioners by ignorance and dulness has been, that they entertained a desire to quash the growth of a class of small proprietors. If they ever did so, they have now learned how utterly their intentions have failed. *From their fruits shall ye know them;* and from the result we may infer, that the Commissioners had no such hostility towards a highly important class; while we might almost equally infer, that Canadian legislators did intend to proscribe the class, under the penalty of irremediable poverty; except indeed that it would be difficult to find the old directors of colonial enterprize guilty of any definite objects at all. For while persons "of no influence" are debarred from the acquisition of land in Canada, in South Australia they have the utmost facility. I need not in this place recite all the cases which are to be met with in the *South Australian Record*, in Mr Gouger's,* or Mr John Stephens's volume;† I will but remind you of a few

as though the situation and condition of the remainder might be safely disregarded.

* *Gouger's South Australia.*

† *History of South Australia.*

instances of the advancement from the class of workmen to that of proprietors, in South Australia,—of Mr Pitman, who in the same letter,* recounts his earnings, apparently as a journeyman carpenter, and states that he has purchased 8 acres in a section north of Adelaide, for 8*l.*, and a quarter of an acre in Rundle street, for 62*l.*; of Mr Enoch Essex, who tells his correspondents† that he is employed under the Company as a watchman, and mentions that he has already purchased a garden, for 4*l.* 5s.; of Mr Stephen Goldsack,‡ who arrived on the 11th of May, 1838, and engaged himself as a journeyman baker, and whom on the 30th of August we find in possession of a good stone house of his own building, and the best bakehouse in the colony. This Mr Goldsack also says, writing to a relative who seems to have thought himself too old to emigrate, "There are people in Adelaide whom I know well, as old as your father, who left England two years ago not worth ten shillings, and now, through nothing but industry, they have each several good stone houses and several acres of town land: Ten hundred pounds would not buy them if you produce it in gold."

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* Dated 12th August, 1838, *South Australian Record*, March 13, 1839.

† August 27th, *ibid.* ‡ August 30th, *ibid.*

And the same writer specifies eight persons, who went out free, with himself, and who, to use his own words, "are already proprietors of houses andlands, which are daily increasing in value; and they will doubtless return to Old England in a few years with fortunes, and tread upon the green turf which will then have concealed such faint-hearted mortals as * * *." I will but mention the names of Robert Turnbull,* and of William Pierce,† who complains that, what with building and other expenses, he has not saved above 100*l.*; of Henry Sparkes and Robert Rankin, whose letters you have probably seen in the last number of the *Record*.‡ One emigrant, whose name has escaped me at present, mentions landed proprietors who were assisted to emigrate by their parish. Nor can you have forgotten the 200 "small proprietors" of Hindmarsh Town. I observe, also, that more land is being sold, in various places round Adelaide, on the plan adopted by Captain Hindmarsh, so that, what with individual cases, and cases in the lump, it is apparent that the class of small proprietors in South Australia is numerous. It is clear, then, that the system of selling land, at

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* June 8, 1838, *South Australian Record*, Jan. 9, 1839.

† June 15, 1838, *South Australian Record*, Dec. 12, 1838.

‡ For May, 1839.

what may be termed, in comparison with other colonies, a very high price, has had a tendency to encourage, indeed *has* encouraged, the growth of that class; which has been stunted and blighted by the profuse system of free grants.

Not only, however, do small capitalists possess greater facilities of obtaining land in South Australia, but the land, when obtained, is of much greater value. Lord Durham tells us that, while the price of wild land in Vermont and New Hampshire, close to the line, is five dollars per acre, land in the adjoining British townships (which land is said, be it remembered, to have the advantage in point of natural fertility) is worth only one dollar, and a very large quantity is wholly unsaleable; but those tracts of land, however, lie within the reach of people long settled in the country, and preserving migratory habits. South Australia, on the contrary, was settled but yesterday, and its colonists have a voyage of more than eleven thousand miles to perform; yet it is not found that the regulation price, which equals the competition price of the American side, is above either the inclination or the means of the inhabitants to purchase. On the contrary, the re-sales ordinarily commanded a profit; and sometimes, in the town (which was a waste but yesterday, and may in that respect be fairly compared with the border town-

ships of the two American countries), a most enormous profit is realized.

"The price of two or three shillings per acre would purchase immense tracts in Lower Canada and New Brunswick; in the adjoining states it will be difficult to obtain a single lot for less than as many dollars. In and near Stanstead, a border township of Lower Canada, and one of the most improved, 48,000 acres of fine land, of which Governor Sir R. S. Milne obtained a grant to himself in 1810, was recently sold at the price of 2s. per acre. Mr Stayner, the Deputy Postmaster General, one of the largest proprietors of wild land in Lower Canada, says, —'Twenty years ago, or thereabouts, I purchased wild land at what was then considered a low price, in the natural hope that it would be gradually increasing in value; and that, whenever I might choose to sell, it would be at such a profit as would afford me a fair return for the use of the money employed. So far, however, from realizing this expectation, I now find, after the lapse of so many years, when the accumulated interest upon the money invested has increased the cost of the land 150 per cent.,—I say I find that I could not, if compelled to sell this land, obtain more for it than it originally cost me.' I learned from others besides Mr Kerr," continues the Report, "but quote his

words, that 'the system pursued in granting crown lands in Lower Canada has been such as to render it impossible to obtain money on mortgage of land, because there is no certainty as to the value. When a sale is forced, there may be a perfect glut in the market, and no purchasers.' Similar statements might be cited in abundance."

Contrast this with the history of the price of land in South Australia, with which all here are, no doubt, acquainted. The price, I may remind you, in Adelaide, began to advance (from the 20s. originally paid, or the reduced price of 12s.) at the very first sale in the colony, when land rose within the town to an average price of 6*l.* From that moment it has continued to advance, reaching 50*l.*, 100*l.*, 150*l.*, 300*l.*, and 500*l.* per acre;* and instead of land going a-begging, and finding no purchasers, the prices which I have quoted have been refused. Country land was sold, within the first year, at 2*l.* an acre on resale. It has since been sold at 5*l.* and 7*l.* 10s., and in the *South Australian* for November 1838 I observe land advertised for sale, in the village of Kensington, at 12*l.* per acre,—an advance upon the

* See Mr Pitman's letter, *South Australian Record*, March 13, 1839. Seventy pounds has since been given for the 20th part of an acre in Adelaide.

original cost of 2,000 per cent. Both an effect and a reacting cause of this worthlessness of land in Canada,—worthlessness in a marketable point of view,—is the re-emigration which takes place from Canada. It is calculated in Lord Durham's Report, upon data which are stated, that the number of people who have re-emigrated from the Canadas amounts to nearly 60 per cent. on the number of emigrants from the United Kingdom; and similar statements, though less in degree, are made with regard to Nova Scotia and New Brunswick. It is admitted that political causes may have augmented the disposition to re-emigrate; but the circumstances connected with the grievous misappropriation of waste lands are quite enough to account for the fact, though the Canadas were a political elysyium; and at all events it *is* the fact, that people re-emigrate from a country where better land is at a nominal price, or fetches no price at all, to a country where land is at least no better, and where the price is at least five times as great.

In natural richness the soil of South Australia cannot, it may be supposed, compete with that of British North America; yet in South Australia re-emigration is unknown, while a considerable re-emigration from the neighbouring colonies into South Australia has taken place;—from New South Wales, where the land is sold at about a

quarter or half the price that it is in South Australia; from Van Diemen's Land, where it is still cheaper; and from Swan River, (and it has been made a matter of boast) where land has sometimes, quite recently, fetched but a halfpenny an acre, or one-four-hundred-and-eightieth part of the lowest price in South Australia. Whether it be in the southern extremity of the civilized world or the northern, we find the same curious phenomena in the course of emigration; in Australia and America we find the land, which is freely and profusely given, abandoned (in spite of the vexed wonder of superficial inquirers) for land which is firmly restricted to a good and sufficient price; we find in both hemispheres, that natural richness of soil, or geographical advantages, are of less account than the construction of society, and the basis upon which rest the value and security of artificial property. It was indeed predicted by some of the cavillers, who are still incontinent of their foolish babblings, that the high price of land in South Australia would cause the emigrants who had obtained a free passage, to repass to the other colonies of Australia. The proof of their error, afforded *e converso* by the re-emigration from the Canadas, was disregarded. Now, however, they have the proof direct; we see that the cheap land of Canada does not prevent re-emi-

gration; that in Swan River indentures have been treated with scorn; and that in New South Wales gratuitous slave labour cannot counterbalance the high wages of Adelaide; while in Adelaide the labouring emigrants, so far from seeking a second removal, have attached themselves to the new country with all the affection of home, and seem anxious to fix and multiply the domestic ties. Thus we find it a common feature in the letters of settlers of that class, who have realized any degree of prosperity, that they invite their aged parents, or younger relatives, to come and make part in the new and happier family circle. It is a feature which I have delighted again and again to point out, as a palpable and cogent proof of the inherent kindliness of human nature, showing how much of the selfishness aad callousness to domestic ties among the poorer classes is purely the result of circumstances. We find, then, that the chief towns of the Canadas are as much emigration depôts for the United States as for the British province; while Adelaide, instead of being weakened by the threatened re-emigration, is at present at the receipt, not merely of emigrants from the mother country, but from the adjacent colonies.

Another cause of the poor value of the rich lands in Canada, which makes beggars of those who own 'racts which would grace a dukedom,

if adequately peopled, is the fact that the profusion has at last worked out its own defeat; and the "boundless forests" of Canada, astounding as it may appear, are in fact exhausted. But this paper has already run to a considerable length; and if you will again indulge me with your attention, I will reserve the interesting but comprehensive topics of the clergy reserves, the land jobbings, the inaccurate surveys, pension grants, and other monstrosities of the old system, as laid naked in Lord Durham's Report, for another paper, still contrasting those abuses with recent events in South Australia.

II.

DISPOSAL OF WASTE LANDS.

I BROKE off my last paper just as I was about to describe to you the surprising extent to which the public lands had been uselessly alienated. In truth, were it not a matter of fact, proveable by the most authentic data, the melancholy excess of the mischief would be incredible.

"By official returns," says the High Commissioner, "which accompany this Report, it appears that, out of about 17,000,000 of acres comprised within the surveyed districts of Upper Canada, less than 1,600,000 are yet unappropriated, and this amount excludes 450,000 reserved for roads, leaving less than 1,200,000 open to grant; and of this remnant, 500,000 acres are required to satisfy claims for grants founded on pledges by the government. In the opinion of Mr Radenhurst, the really acting Surveyor-General, the remaining 700,000 consist for the most part of land inferior in position or quality. It may almost be said, therefore, that the whole of the public lands in Upper Canada have been alienated by the government. In Lower Canada, out of 6,169,963 acres in the surveyed townships, nearly 4,000,000 acres have been granted or sold; the seigneurial districts comprise about 8,300,000 acres, the whole granted, of which 4,300,000 have been ceded to actual settlers, and there are unsatisfied but indisputable claims for grants to the amount of about 500,000."

In the adjacent colonies a similar system has worked similar results.

"In Nova Scotia nearly 6,000,000 of acres have been granted. The area of the province is about 3,000,000 acres, and in the opinion of the Surveyor-General only about one-eighth of the land which remains to the Crown, or 300,000 acres, is available for the purposes of settlement. The whole of Prince Edward's Island, about 1,400,000 acres was alienated in one day. In New Brunswick—area about 16,500,000 acres—4,400,000 acres have been granted or sold, leaving to the Crown about 11,000,000, of which 5,500,000 are fit for immediate settlement."

Here is the most fantastic and perverse disposition of things! We have, on the one hand, millions of acres of the richest land, perfectly accessible in all parts, courting the husbandman with a profusion of virgin fertility; on the other, we see a constant stream of emigration poured upon the shore, half to be turned aside to a foreign land, the other half to be chiefly reabsorbed into that very same state of hopeless poverty, to escape which a voyage of thousands of miles has been taken! Its people have been said to be the strength of a country, and in regard to new countries there can be no question of the fact. What then drives back inhabitants from the empty lands of Canada? What repels colonists from the colony? Is it that a few enjoy a monopoly of the land? It is so in name, but in reality the land is enjoyed

by none. We have seen how the poor are kept out of the land; we have seen how profitless are the possessions of the richer. I said in my last paper, that the exhaustless woods of Canada were exhausted; but that is not exactly correct: a mere nominal possession, a factitious spell, as illusory and as fatal as the spell of the dealer in the black art, keeps the industrious settler from the land—a chimera haunts and desolates the woods of Canada, frightening away the thousands, the millions, that might make the land resound with life and happiness, —a phantom in all but the mischief it works.

The system adopted in South Australia was intended to furnish the most perfect contrast to the picture exhibited in Canada; and it does so. No presumptuous hand has there been laid upon the wild, to make indecent reserves of whole provinces for unborn sprigs of gentility *—land set apart to be cultivated now or a century

* This must be understood of the result, not of the intention: Mr Radenhurst says he is not aware that land has been expressly reserved for children before they were born, but he mentions the child of a legislative councillor, for whom land was set apart when it was three days old. Land, however, which is purchased to be reserved to an indefinite period, for the benefit of the purchaser's family, may be said to be reserved for those who are unborn; and in the case of free grants the abuse is most indecent.

hence; no adventurer patentee is permitted to lavish the unearned gifts of nature on those who will not or cannot prize them, to the prejudice of the starving and the laborious. In South Australia the land is free to all, and we have seen how readily those who are penniless advance themselves to the condition of landowners. Where, as in Canada, a monopoly was to be got for the price of a peppercorn rent, it was easy to purchase the huge tracts which are set apart there; but at the price by which the appropriation of land is restricted in South Australia, there is less temptation to become responsible for the purchase of estates equalling whole provinces. In Canada capacious districts could once be got for the asking, at the price of a *bon mot*, or on the promise of deigning to use a little of the land to build a house upon it some day, or to do something very easy to be done, and still easier to leave undone. But in South Australia the purchase of a thousand acres involves the payment of a thousand pounds, a very sufficient baulk to the needy and reckless adventurer, (who might elsewhere aspire to be "monarch of all he surveyed,") and a tolerably stringent check on the most wealthy.

But the first passage which I have this evening quoted from the Report, is very remarkable

in another respect: we find that nearly the whole of the surveyed land of Canada, namely, 19,400,000 acres, making, together with seigneuries granted under the French rule, nearly 28,000,000 acres, has been appropriated.* Now comparing the amount of the population with the quantity of appropriated land, we find that the proportion is, on the average, about 28 acres of land, set apart to each individual—not half as much again as the proportion of appropriated land in South Australia! When I made the calculation, this result surprised me greatly, knowing as I did the immense tracts of desert which swell this average as to the amount of land, large and fertile tracts without a soul to people them. In fact, the balance of population in the different parts of the country is quite destroyed; the people are scattered and scanty in general, but crowded in particular places. The difficulties of establishing a colony under the dispersion system are no sooner surmounted, or at least partially

* I find the amount of the population of Lower Canada, in 1834, stated to have been 550,000, and of Upper Canada 335,000, in Macculloch's *Statistical Account of the British Empire*; in Martin's *History of the British Colonies* the numbers are respectively 600,000 and 320,000; and Lord Durham reckons the population of Upper Canada to amount to 400,000 in 1838. In round numbers the amount may be taken at 1,000,000 for 1838.

overcome, than the evils of an old crowded country are arrived at! Infantile weakness is succeeded, without any intermediate period of mature vigour, by the cramps and decrepitude of old age! This again explains and illustrates what I before described, the luring of poverty and helplessness to be made poorer and more helpless in the promised land of plenty. The continued existence of huge uncultivated wilds is supposed to prove that the land is free to be used by every new settler, and hence tens of thousands are every year induced to seek from the soil of Canada that subsistence which the crowded state of the country denies them at home. On arrival, however, they find the land to be unapproachable; and lost, in the shipping towns at which they land, amongst a crowd nearly as dense as that they left behind, the destitute emigrants serve to cripple, and not to strengthen the resources of the country;—to make a crowded pauper town population.

But there is a further effect arising from the mode of original purchase which I should wish you to examine with attention: in South Australia the largest amount of land appropriated by one individual has been 4,000 acres; and the largest amount set down to any one account, to that of the South Australian Company, has

been rather more than 13,000 acres;* while in Canada no less than 100,000 acres have repeatedly been bestowed on individuals, and upwards of a million of acres have been sold to the British North American Land Company. The 4,000 acres in South Australia cost 4,000*l.*, and the 13,000 acres (which were part of the preliminary sales, at 12s. per acre) somewhat more than 8,000*l.*; while the 100,000 acres in Canada were perhaps obtained for a trifle more than the fees, and the cost of the perjury invested in the evasion of the restrictive laws—cheap capital where government encourages its accumulation. The British American Land Company contracted to purchase 2,484,413 acres, for 295,000*l.* (not quite 2s. 6d. per acre); one-third of the purchase money to be expended in public buildings and works on their own land, and the remainder to be paid by nearly equal instalments in 16 years; 1,393,388 acres have been "described to the Company."† The Canada Company have purchased 800,000 acres.‡ Thus, in South Australia, the land is distributed, not only

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* I have since heard of the purchase of 4,000 acres additional; of course at the current price of 1*l.* per acre.

† *Evidence of Mr Radenhurst, Appendix B. Min. of Ev. qq.* 851-4.

‡ Special Report, p. 5.

in a more proportionate conformity to the means of the colonists, but with a far more absolute equality. The average of 28 acres per soul, in Canada, is a mere theoretical figment, of no practical application; whereas the average in South Australia represents a generalization of the facts of the case. The consequence of this equable dispersion of the appropriated land among the colonists has been the rapid increase, throughout the settled district, and in the central portion especially, of the price of land, a very strict adjustment of the price of land to the general demand, a price quickly but steadily yielding to every fresh impulse given by the enlargement of the resources of the colony. And, besides this, the cost of ascertaining the surveys, the title, the identity, and the value of the land, the cost of "verification," as Mr Babbage has called the general process of fixing and warranting the market value of goods, which is in Canada nearly, and sometimes quite, a prohibitory charge, is in South Australia merely a trifling per-centage, passing unheeded in the general price, such as you might pay in England on a bale of cotton or a ton of hay. We have stated the prices which have been steadily refused for land in Adelaide; but at the same time it may be observed, that the land which is purchased wholesale is retailed at a high profit.

Thus the originally equal distribution of the land is carried still further; and (though I am disposed to consider that the alienation of land may be advantageously subjected to still further restrictions) it is obvious that the process must be continued until the fusion of people and land has reached the most profitable and beneficial point. It has been ignorantly assumed by some superficial cavillers, that the *concentration* of the Wakefield system was to be a forced congregation of people in a little space; but it is most remarkable that, as I have just shown, the very effect of the restrictive system is to promote a more equable diffusion of the people over the land; while, by a curious reaction, the dispersion of the free-grant system terminates in crowding the people in particular spots, as effectually as they are crowded in the densely peopled countries of the old world, only that the evil is far more gratuitous and mischievous. By the impetus originally given to prices in South Australia, I repeat, they must attain that point (beyond it they can never maintain themselves) at which the most beneficial distribution of the people is permitted, whether for agriculture in the country or for trade in the towns; while in Canada,—to use terms perhaps too coarse to suit every case, but strictly just in the main features,—the old waste is scantily studded with

rude villages, with here and there a huge St Giles's.

What the noble reporter justly describes as the "notorious" system of *clergy reserves*, has set aside 3,000,000 of acres in lots, for the most part, of 200 acres each.

"The select committee of the House of Commons on the civil government of Canada reported, in 1828, that 'these reserved lands, as they are at present distributed over the country, retard more than any other circumstance the improvement of the colony, lying as they do in detached portions of each township, and intervening between the occupations of actual settlers, who have no means of cutting roads through the woods and morasses, which thus separate them from their neighbours.' This description is perfectly applicable to the present state of things. In no perceptible degree has the evil been remedied."

The system of clergy reserves was established by Mr Pitt's toy act, the constitutional act of 1791, which enacted that a quantity equal to one-seventh of all lands granted should be set apart for the clergy. In Upper Canada, however, the clergy reserves were thrown into the opposite scale, by which they themselves were weighed; for the seventh was calculated upon all the land appropriated, reserves and grants too, so that the seventh actually equalled one-sixth of the grants. In this way 300,000 acres have been misappropriated. The same wilful error has been made in the lower pro-

vince, "with this difference—that upon every sale of crown and clergy reserves, a fresh reserve has been made for the clergy, equal to a fifth of such reserves," or, together with the first surplus, fifty per cent. additional on the legal amount; the law requiring that every grant (purchases being considered equivalent to grants) should contain a specification of a reserve made in respect of that particular grant, or the title would want validity. Thus a useless and mischievous way of providing the clergy with landed property is first devised; they are then given one-sixth instead of one-seventh to their share; and when their property is sold, not only is a price paid, but the church demands back from the purchaser a portion of the goods sold, one-fifth, a double tithe of its own wares! And these grants have never been cultivated; they could not be so. Their corporate owners labour in a different vineyard, and could not be supposed at leisure to wring the horn of plenty from the lustiest but wildest of earth's children; nor could they, while the general system so totally destroyed combinable labour, find a substitute at the axe or the plough, while they were at the desk or the pulpit.

It is difficult to find a contrast in South Australia, simply because nothing of the kind,

well or ill managed, good or bad, exists in the colony. The only reserve made there is for roads; a mere anticipation of a future demand, and one which must save trouble and expense to all parties. The maintenance of appropriate ecclesiastical establishments has been left to the conscientious dictates of the colonists themselves, and every expectation on that head has, I believe, been realized thus far. The clergy in South Australia have, therefore, no need to acknowledge themselves, without even the equivocal consolation of pecuniary profit, to be the cause of much justifiable jealousy and discontent, of great personal inconvenience and injury to their fellow countrymen, and of serious hindrance to the improvement of the entire country. As I have said, I can set up no picture in contrast with that in Canada, because it is impossible to paint a negation. I must simply say, there is no such thing.

Another mode by which the public land of the province has been swept out of use, is by way of grants for "public services." In this manner 3,200,000 were granted in Upper Canada to "U. E. Loyalists," and 2,587,000 to a miscellaneous body of militiamen, soldiers, lawyers, clergymen, executive councillors, and the like; making, together with the clergy reserves, "more than half of all the surveyed

land in the province." The High Commissioner could obtain no information as to the amount of grants to refugees in Lower Canada; but the miscellaneous grants for "public services" (including 1,457,209 acres to "leaders of townships") amounted to 2,327,000 acres; "making altogether, with the clergy reserves, rather more than half of the surveyed lands originally at the disposal of the Crown." These leaders of townships were persons who procured a number of others to make a requisition to the governor for a grant of the largest quantity of land which the law allowed to each individual, namely, 1,200 acres of land; and, the land being duly granted, the requisitionists, according to a previous arrangement, surrendered their grants to the leader. Forms for requisitions of this kind, prepared it is said by an attorney-general of the province, were openly sold at Quebec.

Not one-tenth of the land thus granted in Upper Canada has been cultivated, and about one-twentieth in Lower Canada. Much of it, says a witness, was granted to unmarried females, who readily disposed of lots of 200 acres each for from 2*l.* to 5*l.* "The grants made to young men were also frequently sold for very small considerations," the grantees being indisposed to leave their families; and another says, that "the general price of these

grants was from a gallon of rum up to perhaps 6*l.*"

And is it to be wondered at that the young men should be disinclined to bury themselves in the desert? Every man cannot be expected to be a Colonel Boone; and it will be remembered that no exertions of the owner of one of these remote estates could in any material degree influence the value of the land, of its produce, or even influence his own success and future condition. He could not choose the site of his farm; he could not say that it should be next to a settled district, or even next to one that should be settled ten years hence. In all probability, if any one of these contemned settlers had chosen to go upon his land, if any indeed did do so (for some have been foolhardy enough), he would find his little domain surrounded by a nearly impenetrable wilderness; on the north would lie estate after estate in silent desolation, the undisturbed home of the savage beasts; on the south, for miles and miles, would stretch a like solitary waste,—and so towards the east, and towards the west. The very price of these grants less exhibits the recklessness of the sellers—indeed, not at all does it exhibit the recklessness of the sellers, but the utter hopelessness of doing anything with the land. Six pounds is little enough to give for even a nominal lordship, a useless

possession of "real property," so high-sounding a title! But could any tract of land, even a little colonial farm, be purchased for something between that price and a gallon of rum, if the owner had any certainty, or any just and ordinary hope, of doing any good with his purchase? We do not find in South Australia, that the most drunken and dissipated (and such there are in the best regulated colonies) are ready to dispose of their broad acres for a day's debauch, or even for the great sum of 6*l.*; but then the settler has not merely the surety that no land in his neighbourhood will go for less than 1*l.* an acre, but he selects it in the immediate neighbourhood of tracts rated at a much higher value, paid for with an amount which tests and secures an immediate and *bonâ fide* interest on the part of the purchaser in the improvement of his property. The remotest settler, therefore, the furthest tenant of the settlement, leaves behind him a peopled country, and a regular communication with the market for his produce and for the necessaries which he requires. Were it otherwise, would the land of South Australia fetch more than that in Canada,—than the cheapest in Canada? What would any individual in this room give for a section situated a hundred miles or more from Adelaide, especially if all the intervening land were doomed to years of desola-

tion—bought in, as it were, for the kangaroos? Or would any here blame the grantee of such theoretical and supposititious property, if he sold it for a song? He must be a Genoese, or a Yankee, to get so much as four quarts of rum for it, much more 6*l*.

It is remarked by Lord Durham, as an incidental evil, that the grants to poor persons had mostly fallen into the hands of landjobbers, "who have never thought of settling in person, and who retain the land in its present wild state, speculating upon its acquiring a value at some distant day, when the demand for land shall have increased through the increase of population." We have seen, as in the case of Mr Stayner, how barren such speculations have commonly proved. But perhaps it is hardly fair to charge any great part of the evils upon a class of persons which is both created and injured by the system. South Australia owes too much to absentee proprietors (to landjobbers, if you choose to select a depreciating term), for us to regard the class with discontent.

There are three things which may be adventured in the founding of a new colony; the person of the colonist, capital, and judgment—a reputation for which, under the name of common sense, is the tenderest point with most men. All these three things may be adventured by the

same person, or they may be adventured separately. The risk of the actual settler is undoubtedly the greatest, and his profit is usually in proportion. But there are many who do not contemplate settling in the colony, without the countenance of whose judgment, nobly ventured on the success of a vast and untried experiment, without whose capital, pledged for their conviction of the practical wisdom of what was as yet a theory, no settler could have adventured his person in the securest and most profitable enterprise of the day, the colonization of South Australia. The 35,000*l.*, and the judgment of those who contributed to that guarantee fund, had to be ventured without reserve, before a foot could be set in the colony under the sanction of that system which has made it what it is. And do those men deserve no reward for risking two things, which, in this commercial country, are held to be more precious than the person itself, and risking them, too, to such purpose? But the absent capitalists of South Australia need no defence from me.

It is less the objects, however, of the speculators in Canada tha have procured them to be condemned, than their ill success. It is a hard converse to poetical justice, that because the virtuous are always feigned to succeed, the unsuccessful are always suspected to be vicious.

Where the land is open to purchase, the man having money cannot be blamed for purchasing; and if it be not his interest, or even if it be impossible for him to improve his purchase, still the blame to the individual is small. But the system which allows and seduces men to take from others what they themselves cannot use, which makes it possible for one man to appropriate a hundred thousand acres, and impossible that he should use it, is the wrong; that it is which teaches man to snatch from the creation, in his single grasp, the space for thousands and tens of thousands of his kind. The speculator in South Australia, if he had the means, could appropriate as much land as the Canadian; but it would be in his power, it would be his interest, to pour upon his land its proportion of inhabitants. He would reap the profit on his venture—on his capital, in the shape of rent or an advanced price; on his judgment, in the shape of honour and influence. Neither would be, nor is, incompatible with the welfare, with the unbounded prosperity of the retail purchaser or the tenant, who may indeed receive the most essential aid in serving the interests of the great proprietor. If we compare the bootless speculation of Mr Stayner with the speculation of the most extensive proprietor in South Australia, the Company, which gives and receives a rapid

interchange of benefits between itself and its dependants, the different working of the system and the no-system is fully illustrated. Thus we see, that which aids in the working of the South Australian system, greatly aggravates the evils of Canada.

I must pass over very briefly the well-meant but nugatory "instructions" of 1827 and 1831, to restrain the lavish appropriations, with observing, that the quantity of land since disposed of in Upper Canada, under those instructions, has been 100,317 acres, or nearly in the proportion of 1 *to* 20 *of land alienated in virtue of previous grants*, which amounts to 2,000,000 acres! Lord Goderich's more "stringent" measures consisted in directing the purchase money to be paid in a shorter time, which was thought too severe, as it "amounted, in fact, to exacting the whole of the purchase money down;" a severity which in South Australia is something of a common-place, though in that colony "the whole of the purchase money" is rather a more important matter. In Canada, however, it was thought sufficient to set the new instructions aside.

Some disputation has arisen in respect to the conduct of the surveys in South Australia. First of all, the surveys occupied more time than was anticipated, and some delay occurred in arrang-

ing the sections for location. Since reading Lord Durham's Report, I feel less than ever bound to question the propriety of Colonel Light's intention in refusing to perform a running survey, though his opinion may have been adhered to with too much obstinacy; and the peculiar circumstance, that the departure of the first settlers could not be delayed after the Commissioners had sufficient authority to cause the surveys to be proceeded with, makes me still less disposed to question the judgment which dictated a departure from technical accuracy in order to attain an immediate and practical good. Suffice it to admit that a trifling difficulty, which is now overcome, did exist. The best steps have also been taken to remedy an admitted deficiency in the surveying corps. Then, again, in redividing the augmented sections of 134 acres, which remained after the preliminary sale, into the original dimensions of 80 acres, a complementary area of 54 acres (marked green in the survey map, and thence called a *green slip*) was left here and there, the disposal of which, though not a matter of any obvious difficulty, has created much dissension. As much has been made of these little inconveniences as they were capable of. But let us turn to Canada: we read there an expressive lesson on complaints

which appear literally frivolous in the comparison.

"Without accurate surveys," says the Report, "there can be no security of property in land, no certainty even as to the position or boundaries of estates marked out in maps, or named in title deeds." There *is* no such security, no certainty of boundaries or position, in the American colonies. In Nova Scotia a draftsman in the surveyor's office "found it impossible to make accurate surveys, in consequence of inaccuracy as to former lots of land." "In many cases also the boundaries of land granted have never been surveyed, or laid out at all." In New Brunswick "no survey of the province has ever been made;" and "it frequently has occurred that different grants are made for the same lot of land." In Upper Canada a practice has prevailed of letting the surveys by contract, and they have been so inaccurately performed, that "there are instances in which scarcely a single lot is of the dimensions, or in the position actually assigned to it in the diagram." The case is still worse in Lower Canada. The Commissioner of Crown Lands says, "that in the two townships of Shefford and Orford no one lot agrees with the diagram on record. The lines dividing the lots, instead of running perpendicularly, accord-

ing to the diagram, actually ran diagonally, the effect of which is necessarily to displace the whole of the lots, upwards of 300 in number, from their true position. The lines dividing the ranges are so irregular as to give to some lots two and a half times the contents of others, though they are all laid down in the diagram as of equal extent. There are lakes also which occupy nearly the whole of some lots, that are entirely omitted." "I have no reason," adds the Commissioner, "for believing that the surveys of other townships are more accurate than those of Shefford and Orford, except where it may be owing to some possible variations in the physical disturbing agencies. The effects of these inaccuracies," says the Commissioner, "would extend to all cases in which persons should claim to have received or purchased from the Crown." When land shall have become valuable, the litigation which is now thought little worth the while of landowners, which only smoulders, will flame up. Mr Daly, a surveyor, applied to the Governor-General for power to establish a new line between the sixth and seventh ranges of Durham, the seventh having been curtailed of one-fifth of its fair proportions in favour of the sixth. The inhabitants of the third range had likewise lost about one quarter of their property to the owners of the second,

who resisted the claims of the former for redress. This gentleman mentions one exception to the general rule, one township which had been accurately surveyed! Mr Kerr speaks of grants which have been made of lots that had no existence at all; and in this room I heard Lieutenant Frome, the present Surveyor-General of South Australia, who had been employed in a similar occupation in Canada, describe a survey in which he found the parallel lines, which should have continued a mile apart, cross each other within three miles from their commencement; so that the owner of the allotment which lay at that distance along the range "might have covered his estate with his hat." In fact, the confusion is so hopeless of remedy, that Mr Sewell, the Chief Justice of the province, recommends an act to give quiet possession, an act to confirm the existing state of things.

After this, when, in a colony which has been established nearly two centuries, we find even the inefficiency of the surveying corps a matter of complaint, we may smile at the indignation about the assistant surveyors and the *green slips* of South Australia.

Another in the voluminous list of difficulties which hinder the settler in Canada, especially in the lower province, is the official delay in completing titles. The following passage is a

striking commentary on the silence of the woods of Lower Canada:

"Mr Kerr says—'As soon as the purchaser has paid the last instalment, he is referred to the Crown Lands officer, to whom the payment is made, for patent to the Surveyor General for the necessary specifications. Then the specification, with reference, is sent to the Commissioner of Crown Lands. These documents are next sent to the Secretary of the Governor, or Civil Secretary, who directs the Provincial Secretary to engross the patent. The fees are then levied, and, upon the payment of fees, the Provincial Secretary engrosses. On an engrossment being made, the Governor signs the patent, and the great seal of the Province is attached to it. This signature is procured by the Provincial Secretary. The patent is then sent to the Commissioner of Crown Lands to be audited. At present one of the Commissioners audits: this used to be done by the auditor, but the office of auditor has been abolished. (A stupendous reform!) When the audit is made, the title is said to be perfected. The effect of having to refer to so many persons has been the total loss of many references, and the papers connected with them, in one or other of the offices. There have been cases in which I was referred three times for the same patent, all the papers having been lost twice successively. In some cases the papers are found again, but at too late a period to be available. The shortest time in which I have known a title to be perfected, is about six weeks, and the longest about eight years. More than ordinary diligence was used in the case of six weeks. I obtained an order from the Governor for a special reference for my patent to take priority of all others then in the office. The average period, required for completing a title, after the purchase has been completed, by the payment of *the whole of the* purchase money, is full 15 months."

It was an act of favouritism which curtailed the time to six weeks! It is no wonder then that "persons who had no influence" should find difficulty in obtaining land, when from one to eight years was required to purchase that which was, after all, worth in the market from 6*l.* down to a gallon of rum. At this rate, what with the delays and the erroneous grants, a life might be spent in the fruitless endeavour to get possession of land honestly paid for: years might first be spent in completing the purchase; the settler might then seek his allotment and find it to be non-existent, like three out of four lots granted to a Captain Skinner, mentioned by Mr Kerr; returning to the town with his family, at great cost and trouble, he might again spend a weary time in obtaining a compensating grant; after a third voyage through the wild, he might find his tenement occupied by a lake; and if at last he achieved his object, and secured in late years the property for which he had paid in youth, he might find his estate agreeably diversified by lying in separate townships, with a few locked up estates and clergy reserves intervening. This may be a fanciful exaggeration, but it is not an impossibility in terms. And if the purchase of land thus became next to an impossibility, I need not describe the cost, the *vexation*, and the loss which must have deprived

the settler, who might have had the influence of money at least, of the benefit of great part of his capital, or perhaps of all.

The contrast in South Australia is easy to describe: a few hours may complete the purchase of the most extensive estate; a week at the utmost. The title, consisting in the payment of the purchase money, and evidenced by the land order of the Commissioners or Resident Commissioner, is as simple as it is definite and precise. And, the official arrangements being completed, there is nothing more to hinder the settler. "Persons of no influence" have obtained land in South Australia with as much facility and quickness as they could buy any other bulky and valuable piece of goods, a hundred of deals, or a pipe of wine. No eight years' delay would sicken the small capitalist, eat up his substance, drive him into debt, into prison (like a person named Burnes, in Upper Canada, mentioned by Dr Baldwin); his patient misery, aggravated perhaps by an act of favouritism, years after *he* had begun the negociations, driving some other person *not* without influence through the official labyrinth in the six weeks' twinkling of an eye. In Adelaide he pays the money, the papers are signed, and he walks upon his land. I make less account of the *comparative* absence of physical obstacles to the tra-

velling settler in the new colony, because, if the law could secure to man the fruit of his toil, if it could leave him but a moderate share of risk and uncertainty, the wildest and most inaccessible thickets of Canada would but pique his spirit of enterprise and perseverance.

The actual settlement of the land, however, does not terminate the backwoodsman's difficulties. Situate in the midst of wastes so huge, that it is sometimes found impossible to make the needful roads, he is more cut off from the world than the inhabitants of Christian's Island. Struggling with the elements of Nature in their wildest mood, he is more abandoned, more desolate than the heroes of the arctic expeditions. He has but one alternative before him: to desist, conquered, from a hopeless contest; to fly from the frightful solitude, which, unaided by succour from his brethren in the world, no strength of arm, however brawny, no strength of heart however dauntless, will enable him to subdue; or to submit outright;—to forego the habits, the wants, the sweet ennobling desires of the civilised world, to relinquish its decencies, its protection, its sustainment, and to turn veritable savage; to pass his fierce uneasy days far from "the busy hum of men," far from the sound of his church's bells, in the dark forest—to see no more faces, but a few savage as his own will

grow; read no more books, hear no voices but the bray of wild beasts that snuff him for their prey—his death-bed to be the floor of his shaking cabin, the naked gnarled root of some ancient tree, or perchance the foot of some close pit, down which he has fallen with the struggling wolf, caught like the vermin he has entrapped. Terrified at the silent stern forbidding of the solitude, which he has invaded without the power to defy, the settler has often relinquished, in a panic, the work of time and toil; selling the nominal possession of his improvements to any fool who would not learn from the owner's anxiety to be rid of them, for a quarter of their cost to himself; or abandoning them outright, without a thought or care for repayment. "I may mention, as an instance," says Mr Rankin, Deputy Surveyor General, "the township of Rama (U. C.), where after a trial of three years, the settlers were compelled to abandon their improvements." And similar instances are mentioned by several witnesses. So, after a struggle of two centuries, protected by the no-system, the wilds of Canada still defy the axe and the plough!

Time is yet wanting to enable South Australia to furnish a contrast to this part of the subject. When the settlers, however, *have* given up their land, they certainly have not done so

for nothing; nor have they been so generous as to throw in improvements as a make-weight. So far is it the reverse, that re-sales only take place at a very considerable advance, several hundreds per cent., as we have already seen in treating of labouring landowners; and many proprietors prefer the mode of letting. I may mention one of the earliest settlers who let his land at a rental, Mr ——, I think, who tells us in a letter, that he paid 10*l.* and 7*l.* for two acres; and he subsequently let the cheaper acre for 10*l.* a-year, and a quarter of the other, a back quarter, with the use of a forge, for 10*l.* a-year! for seven years.

III.

EMIGRATION.

In turning from the subject of the waste lands to that of emigration, we are struck with a very remarkable analogy in the effects of the free-grant system. As, on the one hand, it makes land ruinously cheap, and at the same time prevents its practical appropriation, so, on the other, it makes man cheap, and at the same time prevents his practical employment, either individually or collectively. It promotes a headlong stream of emigration, but prevents the influx of inhabitants from gaining a thorough footing on the land. Thus the amount of emigrants arriving at Quebec by sea, for the last nine years, has averaged nearly 30,000; the *maximum* being (in 1832) 51,746, and the *minimum* (in 1838) only 4,992: the great decrease in the latter instance is, of course, owing to the political troubles. Yet in spite of this surprising influx of living human beings, we learn that the average population of the "township districts" in Lower Canada is nine to the square mile, including some well peopled townships that derive benefit *from the* vicinity of the American frontier; but

in less favoured situations the population ebbs to so low an average as four to the square mile; "and in some extensive and fertile tracts, the whole or nearly the whole of which has been granted by the Government, it is not one to every ten square miles." *

Cheap and nasty is a vulgar and coarse expression, which assumes a truthfulness really horrible when applied to the condition of the human freight of emigration ships that frequent the ports of Canada. The owner of the slave has an interest in the well-being of his property, and the selfish care of the master is some set-off against the destruction of the rights of the individual; but in the case of the poor Canadian emigrant the rights of the individual are lost, without the substitution of any other right or interest; the destitute emigrant enjoys no privilege of self-possession—he belongs to no one else; he is better off only than vermin, for a society is appointed to watch over his safety (as there is a society in London for the prevention of cruelty to animals) out of motives of compassion, and a praiseworthy regard to shielding the town from the evils of a ravenous and mangy herd of paupers rotting in the streets. The pauper emigrant is in Canada the lumber of the

* Special Report, Appendix B., p. 7.

state, the surplus stock; he realizes the condition of the horse in the caricature which anticipates the unexceptional adoption of steam locomotives,—he is not worth his keep.

Had the poorer classes in Britain known the fate that awaited them, Lord Durham intimates, they would rather have borne "the ills they had" "than have flown to others which they knew not of," but which passed imagination to invent. The Commissioner gives us, for the first specimen of these evils, one which is sufficiently appalling:

"Dr Morrin, a gentleman of high professional and personal character, Inspecting Physician of the Port of Quebec, and Commissioner of the Marine and Emigrant Hospital, says:—'I am almost at a loss for words to describe the state in which the emigrants frequently arrived; with few exceptions the state of the ships was quite abominable; so much so, that the harbour master's boatmen had no difficulty, at the distance of a gun shot, either when the wind was favourable or in a dead calm, in distinguishing by the odour alone a crowded emigrant ship. I have known as many as from thirty to forty deaths to have taken place in the course of a voyage from typhus fever on board of a ship containing from 500 to 600 passengers; and within six weeks after the arrival of some vessels, and the landing of the passengers at Quebec, the hospital has received upwards of 100 patients at different times from among them. On one occasion I have known nearly 400 patients at one time in the Emigrant Hospital of Quebec, for whom there was no sufficient accommodation; and in order to provide them with some shelter, Dr Paincheaud, the then attending physician, with the aid of other physicians, incurred a personal

debt to the Quebec bank to a considerable amount, which, however, was afterwards paid by the provincial legislature.'* * * * * * 'The mortality was considerable among the emigrants at that time, and was attended with the most disastrous consequences, children being left without their parents, and wholly dependent on the casual charity of the inhabitants of the city. As to those who were not sick on arriving, I have to say that they were generally forcibly landed by the masters of vessels, without a shilling in their pockets to procure them a night's lodging, and very few of them with the means of subsistence for more than a very short time. They commonly established themselves along

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* This anecdote is one among an infinite number which have helped my personal experience to convince me, that the medical profession is pre-eminent for humanity and generosity. Familiar with human suffering, accustomed by the very practice of their art to work for the good of their fellow creatures, their best feelings of pride (to call it, for want of a better, by a very unworthy name) are constantly gratified by the plaintive regard of helplessness and gratitude, and their appetite and taste for beneficence is in every way excited and refined. No other body of men are so remarkable for the union of polished urbanity of manner, with sincere and disinterested benevolence of conduct. Even the few coxcombs that disfigure, for they have not the power to disgrace, the threshold of the profession, are seldom so wholly uninfluenced by the meliorating effects of their discipline, as to be equally worthless with the baser portions of other professions. In the most barbarous countries the name of *doctor* is the best of passports, not only because human suffering welcomes relief, but because the study of medicine usually developes the best dispositions of our nature, and experience has made even barbarians sensible of the fact.

the wharfs and at the different landing-places, crowding into any place of shelter they could obtain, where they subsisted principally upon the charity of the inhabitants. For six weeks at a time, from the commencement of the emigrant ship season, I have known the shores of the river along Quebec, for about a mile and a half, crowded with these unfortunate people, the places of those who might have moved off being constantly supplied by fresh arrivals, and there being daily drafts of from ten to thirty taken to the hospital with infectious disease. The consequence was its spread among the inhabitants of the city, especially in the districts in which those unfortunate creatures had established themselves. Those who were not absolutely without money got into low taverns and boarding-houses and cellars, where they congregated in immense numbers, and where their state was not any better than it had been on board ship. This state of things existed within my knowledge from 1826 to 1832."

Did I say wrong when I said that Canada had betimes attained to the condition, in these respects, of an old country?

"A regular importation of contagious disease into this country," says Dr Skey, Deputy Inspector General of Hospitals, and President of the Quebec Emigrants' Society, in the next passage of the Report, "has annually taken place; that disease originated on board ship, and was occasioned, I should say, by bad management, in consequence of the ships being ill found, ill provisioned, overcrowded, and ill ventilated. I should say that the mortality during the voyage has been dreadful; to such an extent that, in 1834, the inhabitants of Quebec, taking alarm at the number of shipwrecks, at the mortality of the passengers, and the fatal diseases which accumulated at the quarantine

establishment at Grosse Isle and the Emigrant Hospital of this city, involving the inhabitants of Quebec in the calamity, called upon the Emigrants' Society to take the subject into consideration, and make representations to the Government thereon."

The circumstances described, continues the Report, took place under the operation of the Act 9th George IV., commonly called the Passengers' Act, which was passed in 1825, repealed in 1827, and re-enacted in 1828 [a course of legislation consistent with the generally anomalous nature of colonial governments heretofore!] In 1835 an amended Passengers' Act was passed, founded on the representations transmitted from Quebec. It will, however, be seen in the sequel, that the very nature of the remedies, as Lord Durham remarks, proves the magnitude of the evils; and proves, it may be added, how difficult and imperfect has been the change from the frightful state of things which has been described. It has been contended, the Report tells us, that things are differently managed now; that the regulations are judicious, and the result satisfactory. Such an opinion by no means prevails in Quebec, where the effects of improvement should be most visible; and in the paper which Lord Durham instances as more particularly asserting the advantages of the

existing system,* it is stated, with reference to that emigration to the Canadas before the year 1832, which has been described by Dr Morrin and Dr Skey, eye-witnesses of the miseries and calamities that took place, that "these great multitudes had gone out by their own means, and disposed of themselves through their own efforts, without any serious or lasting inconvenience." . . . "A practice," it is added, "which appeared to thrive so well spontaneously!"

The testimony that can speak in such terms of a traffic in human suffering, which partakes, though happily in an unequal degree, of the horrors of the slave trade, must be received, even on other matters, with caution.

"I can scarcely imagine," says Lord Durham, "any obligation which it is more incumbent on Government to fulfil, than that of guarding against an improper selection of emigrants, and securing to poor persons disposed to emigrate every possible facility." Lord Durham makes the remark in combating the

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* The Report of the Agent General for Emigration from the United Kingdom, ordered by the House of Commons to be printed 14th May, 1838. I am informed, however, that more recently great improvements have actually taken place.

"favourable mention (made in the report before alluded to) of the principle of entrusting some parts of the conduct of emigration rather to 'charitable committees' than to 'an ordinary department of Government.'" But I believe a very wholesome change has come over the spirit of official dreams on this subject.

How far, however, the obligation so justly insisted upon by Lord Durham had been carried into effect before the date of his Report, and before the extraordinary decrease which seems to indicate that emigration to Canada is—for a time at least—virtually suppressed, may be gathered from the evidence of Mr Forsyth, Dr Skey, Mr Stayner, Mr Jessop, and others. "The great evils that have hitherto existed," says Mr Forsyth, "have arisen from the want of system, and especially from the want of all adequate means of information, advice, and guardianship (for the emigrants). This want of information necessarily gives a vagrant character to their movements." Ignorant of the best markets, ignorant of the fact that labour ceases in the winter, the emigrants lounge about the large towns and beg, or go into the bush (however ill fitted by their previous habits for purely agricultural employments of the roughest kind), and work and beg together. A few conquer these huge difficulties; more succumb to

their fate; more seek a refuge in the United States. These evils are greatly aggravated by the absence of all controul in the selection of emigrants; many of those assisted to emigrate are too old, are destitute, vicious, or diseased; wholesale shipments of paupers take place, the dregs of the poor-house; and worn-out pensioners are promised an independence in the colony, and find a grave.

Emigration, says the author of *England and America*, is in itself an evil; it is one best born in the flower of youthful maturity, when new connections and habits are in process of formation. And by transferring to the new country those whose period of fertility is all to come, the *maximum* of good is done, both to the colony and the mother country, with the *minimum* of cost or violence to natural feelings. Such is the main reason that guides the selection of emigrants for South Australia. If an emigrant be desirous of proceeding to South Australia, he learns that he must apply to the nearest agent,—if in London, for instance, at the Commissioner's office,—if in the country, at the nearest large town. On reaching the office, he is referred to the Emigration Clerk, who examines him as to his previous occupations, his connections, and personal character, with a view to ascertain that the applicant is a fit person to be added to the labouring population of the colony, and able to undergo the

vicissitudes of so great a change of scene without danger to himself. The examiner then hands him a paper containing the specific regulations framed by the Commissioners, and a blank certificate, which, if the emigrant feels able and disposed to comply with the regulations, he fills up, declaring therein that he seeks the colony for the purpose of labouring until he shall be placed, by his own industry, in a condition to employ others. The certificate is required to be attested by two householders, bearing witness to the applicant's general good character; and by a surgeon pronouncing him to be able-bodied; and it is countersigned by the clergyman of the place where the applicant has resided, for the purpose of authenticating the other signatures. The certificate is then presented, or forwarded to the Commissioners; and if, upon further inquiry, the applicant is deemed eligible, his name and address are entered upon the books of the Commission, and he is appointed to the first ship in which there is room for him. The emigrant whose qualifications are so strictly scrutinized, is required to be married, to be under thirty years of age, or to have a family numerous in proportion to the excess of his age over that point; the passage of children more than twelve months old and under fifteen years, being paid for by the emigrant, at the rate of 3*l.* a head. Single women

are freely sent out if they can secure suitable protection. Single men are invariably required to pay the full cost of their passage, except when nominated to one of the free passages for servants allowed (in the proportion of four to each section of eighty acres) to purchasers of land, each of whom, however, is required to take out an equal portion of the two sexes, whether married or single. Such is the sifting process which the population of South Australia has to go through.

Dr Poole says, in his evidence, that vessels are employed in the Canadian emigration that are "scarcely sea-worthy;" "That part of the law which regulates the height between decks of emigrant ships, is frequently evaded in the smaller class of vessels by means of a false deck some distance below the beams, bringing the passengers nearly in contact with the damp ballast, pressing them into the narrow part of the ship, and the beams taking up an important part of the room allotted to them by law. It is quite impossible that such fittings should escape observation in the port of departure, if that part of the vessel be visited." From these results, a shrewd guess may be made at the degree of vigilance used to check the rapacity of the less respectable shipowners, a class of men, who, according *to the report*, have had a preference over a worthier kind.

The South Australian Commissioners are always open to the receipt of tenders for emigrant ships, and they also advertise for tenders. A blank tender, which seems to me to leave no loophole to hang a mistake upon, binding the owners strictly to fulfil the liberal and provident regulations which have been adopted, is supplied at the office; and having been filled up, is rejected or accepted, subject to the report of the Surveyor to the commission. It is a *sine quâ non* that the vessel tendered for be of the first class. The Surveyor then inspects the accepted vessel very minutely, and makes his report. Any repairs which may be wanting, and the fittings-up of the vessel, are executed under his immediate superintendence. The vessel is then victualled and watered, the Surveyor ascertaining that there is a six month's supply, that the provisions are of good quality, and that the water is sufficient, and the casks properly charred; obtaining the master's certificate as to the last point. He then reports the vessel ready. By the terms of the tender, the Commissioners reserve to themselves the approval of the master, officers, and crew; of the quantity of provisions for the crew and cabin passengers, (to secure against any need for encroaching on the emigrants' supply), "And in short of the preparations for fulfilling every condition of the tender. Such approval, however, is not in any degree to lessen the res-

ponsibility of the owners." This passage is a fair sample of the stringent nature of the terms of the tender.

The vessel being provided, the South Australian emigrant receives from the Commissioners an *embarkation order*, which contains very explicit instructions as to the amount of tonnage allowed him, the payment of his surplus money for children under age, the day he must surrender himself at the Emigration Depôt, (if in London, or at the Agents' in the country), the arrangements for the messes, the dietary, what utensils he must provide (such as a knife, fork, spoon, and the like utensils of individual use); and in short, all his rights and duties while in charge of the Commissioners as an emigrant. On arriving at the Depôt, he is examined by the Surgeon-Superintendent-General, and if found to be diseased, he would be at once rejected. The emigrant reaches the Depôt at his own cost; but having once done so, if he have arrived punctually, all charge on his own pocket ceases, and he is maintained by the Commissioners. He is transferred from the Depôt to the ship under the superintendence of the agent, or an officer of the commission.

The Passengers' Act allows 15 superficial feet *of deck for* each adult; but that provision, says

Mr. Jessopp, the collector of customs at Quebec, has not been sufficiently enforced."

"Such instances have not occurred this season (1838), emigration having almost ceased, in consequence, I presume, of the political state of the province. But, last year, there were several instances in which prosecution took place. Vessels are chartered for emigration by persons whose sole object is to make money, and who make a trade of evading the provisions of the act. This applies particularly to vessels coming from Ireland. We have found in very many instances that, in vessels chartered in this way, the number was greater than allowed by law; and the captains have declared, that the extra numbers smuggled themselves, or were smuggled on board, and were only discovered after the vessel had been several days at sea. This might be prevented by a stricter examination of the vessels."

Another mode of evading the regulation, is to enter adults as children, of whom more are allowed in proportion to space: two children 14 years of age, and three under seven, being reckoned as one adult.

In the case of South Australian vessels such evasions would be impossible, and if possible, not profitable. The vessel and its passengers are never out of sight of an officer of the Commissioners; the emigrants are shipped by an officer of the Commissioners (since the appointment has been made, by the Surgeon-Superintendent-General), who remains on board until the last pilot leaves the vessel in the Downs, or until it reaches the outport, after which it is in charge of the Sur-

geon Superintendent specially appointed to the vessel, of whose functions I shall speak presently. And should any ingenuity enable a man to evade this uninterrupted vigilance, neither the captain nor owners could claim payment for his passage; and, from a consideration of the terms of the tender, I am disposed to consider, that the master would feed the intruder at his own peril. And, in point of fact, no such circumstance, I believe, has occurred. The Commissioners indeed usually allow 10 per cent less of passengers in proportion to the space.

"It very often happens, says Mr Jessopp, that poorer emigrants have not a sufficiency of provisions for the voyage; that they have a sufficiency of provisions might be enforced under the act, which authorises the inspection of provisions by the outport agent for emigrants. Many instances have come to my knowledge, in which, from insufficiency of provisions, emigrants have been thrown upon the humanity of the captain, or the charity of their fellow-passengers."

"The captains have in many instances told me," says Dr Poole, "that the agents only muster the passengers on deck, inquire into the quantity of provisions, and, in some cases, require them to be produced, when, occasionally, the same bag of meal or other provisions was shown as belonging to several persons in succession."

Indeed, the interest of the master has been sometimes, not merely unengaged to the maintenance of a system, but directly opposed to good order:

"I wish also to mention," says the witness last quoted, "a system of extortion carried on by masters of vessels, chiefly from Ireland, whence come the bulk of our emigrants. The captain tells the emigrants that the passage will be three weeks or a month, and they need not lay in provisions for any longer period, well knowing that the average passage is six weeks, and that it often extends to eight or nine weeks. When the emigrants' stores are exhausted, the captain, who has laid in a stock for the purpose, obliges them to pay as much as 400 per cent. on the cost price for the means of subsistence, and thus robs the poor emigrant of his last shilling. Such instances are of frequent occurrence, even down to the present year (1838)."

Many of the poor emigrants, Dr Poole tells us, arrive so destitute of provisions, that they are obliged to b supplied from the shore. "Very few of these vessels have on board a sufficient quantity of water," the casks being few, old, and leaky. And the provisions were often found by Dr Poole, on personal inspection, to be of bad quality, and ill selected; small stores and medical comforts being scanty, or altogether wanting. The consequence is a frightful waste of health and life: several deaths occur on board ship; and, during the year 1838 (when the gross number of emigrants was about 22,000), patients afflicted with contagious disease, to the number of from 20 to 90 out of each vessel, were received into the hospital, as soon as they arrived.

The misery of the poor emigrants is not

always mitigated by the medical skill of a surgeon:

"The majority of such persons called surgeons," says Dr Poole, "are unlicensed students and apprentices, or apothecaries' shopmen, without sufficient knowledge to be of any service to the emigrant, either for the prevention or cure of diseases." . . . . "I boarded a ship last year [1837; the Passengers' Act was passed in 1835], of which the captain and three passengers, who had met with accidents, had their limbs bandaged for supposed fractures, which, upon examination, I found were only simple strains or bruises. On examining the captain's arm, I said that there had been no fracture. The surgeon, so called, replied, 'I assure you the *tibia* and *fibula* are both broken.' It happens that the *tibia* and *fibula* are bones of the leg. This is an extreme case, apparently; but it is not an unfair illustration of the ignorance and presumption of the class of men appointed to comply with that part of the Act which is intended to provide for the medical care of the emigrants during the voyage."

As we turn over page after page of the Report, our wonder is by turns excited and allayed; excited at the vast amount of gratuitous injury and useless suffering, and allayed by finding out the cause in the ignorance of all parties,—the sequacious, sheeplike, helpless ignorance of the poor emigrants, hustled pell-mell into the loathsome floating prison, which is the death of so many of their number; the callous ignorance of the dealers in starvation and disease, the managers of the emigration ships. These are ignorant,

indeed, that man lives not by bread alone, and they seek their happiness in grasping for the bread out of other's mouths; heaping up, at the cost of blood and tears, a store of wealth, an imaginary treasure of bread *in posse*. They know not that in steeling their hearts against others, they are hardened also to enjoyment; they trust to bread alone for their life, and they live *not*.

It is not only the ignorance of the medical impostors, described by Dr Poole, that deprives the emigrants of assistance:—uncertain of their uneasy footing, they become ready tools in the hands of the captains. They report falsely. Dr Poole mentions the case of a vessel containing 150 emigrants, the surgeon of which produced a list of a few slight ailments, all cured. The doctor found forty cases of typhus on board!

Every candidate for the post of Surgeon-superintendant on board a ship chartered by the South Australian Commissioners is required to send in his diploma from the Royal College of Surgeons, or his licence from Apothecaries' Hall; it is preferred that the applicant should have both qualifications to show. I am aware of but one instance in which this preliminary can be said to have been modified, and that is in the case of the last ship, the Regent. The surgeon originally appointed was unable to em-

bark, and the commissioners had but little time to find a successor. A gentleman applied for the post, who had taken his degree as a physician at a foreign university. Every candidate whatsoever is required to submit himself to be examined as to his acquirements and ability, by a physician appointed for that purpose by the Commissioners, Dr Fergusson; and that gentleman, after a careful examination, reported that the foreign graduate was eminently qualified for the office which he sought. The only exception which has occurred therefore, to the ordinary course, is one which attests the vigilance of the Commissioners; but in no case, I believe, would a candidate be approved who could not produce his credentials from some recognised qualifying body.

The arrangements to remunerate the surgeon thus carefully chosen are such as are calculated to ensure the faithful discharge of his duties. He receives a fee of 8*s*. a head for every soul under his care, provided the aggregate amount does not exceed 60*l*.; he is allowed a separate cabin, and a place at the cabin table—worth, the two together, about 80*l*.; and it may be observed that several of the surgeons hitherto appointed have been settlers. He receives an augmentation to his fees of 20s. for every birth which occurs while in charge of the emigrants;

and a like deduction from his receipts, of 20s. for every death or desertion—that is to say, for every soul who does not debark at the port of destination.

In return, the duties of the surgeon are—to inspect the medicine-store before starting; to put in force the regulations for the conduct of the emigrant; to arrange the messes; to appoint an Assistant-superintendant from among the emigrants, whose remuneration, contingent upon the approval of the Surgeon, is to equal one-third of that of the Surgeon-superintendant; to visit the emigrants twice a day; to regulate the times of their being on deck; to keep up proper ventilation between the decks; to preserve cleanliness; to suprintend, together with the Assistant Superintendent, the issue of rations, which are delivered to two persons from each mess; to keep a journal of events, in which he is bound to note the opening of every fresh cask of provisions, its mark, and the condition and quality of its contents; and to see to the enforcement of every part of the tender which concerns the voyage. He has no interest in abating one jot of the requirements of that tender; but, on the contrary, he has the strongest interest in observing a careful conformity to the instructions of the Commissioners; for a great part of his remuneration is withheld

until he can produce a certificate to that effect, after he has landed his charge in the colony.

I have purposely postponed contrasting the generous and politic abundance of provisions on board the South Australian ships, with the horrible details, which I find in Lord Durham's Report, of want on board the Canadian ships, until I had described the functions of the Surgeon-superintendant, one of whose chief duties it is to secure the due performance of the bargain with the Commissioners. It is now seen how difficult must be even a partial evasion of that bargain. But a still further restriction is added, by withholding one-half of the payment to the owners of the vessel, until a certificate from the colony is received, to the effect that the tender has been fully complied with.

Such is the mode in which South Astralian ships are victualled and officered. It differs less, I believe, from the system adopted for Canadian vessels in intent, than in the rigour with which it is enforced,—a novelty, I have been told, by no means pleasing to a few who had been accustomed to more "generous constructions" in favour of avarice. But I believe there are very few among the hardest bargainers who do not sincerely respect and approve the disinterested exactingness of the Commissioners.

On searching the letters of the working emi-

grants, I find little said about the voyage by any, except that it was "comfortable." Some mention is, of course, made of stormy weather, when it occurred; but there are few complaints of short commons, or ill-treatment, or harshness, or close quarters, or any other grievance: Robert Turnbull* tells us that he had a "pleasant passage." Frederick Hobbs† merely says that he had a five months' passage. Thomas Scown‡ says "this (the *Katharine Stewart Forbes)* is a most noble vessel for strength, accommodation, and fast sailing;" and he tells us that the emigrants at landing gave the officers and crew three cheers, for their good treatment on board. This man, Scown, saved 10*l.* worth of the provisions issued to his family;§ for the emigrants are allowed to draw a portion only of their rations, and to reserve the remainder. Scown says the provisions would have sufficed "for three such families" as his. He tells his friends that the Emigration Agent in the colony asked him if he had any complaints to make during the voyage; but he had none. Richard Smith‖ makes no mention of the passage, except that it was direct, and occupied three months. F. H. Staker had

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* In a letter dated May 8, 1838, *S. A. Record*, No. xvi.
† Feb. 1, 1838, ib. xii.
‡ No date; ib. xii.
‖ H. xiii.
§ No date, ib. xiii.

"a very pleasant voyage, and no bad weather," arriving in perfect health. Enoch Essex* mentions rough weather on the passage, but landed in health; "two children died on the voyage, and one was born." Taking it altogether, the passage, he says, was fine. Stephen Goldsack describes the passage as tedious but without danger or disaster. John Hancock† had a daughter ill with a fever during a great heat on the passage, and his wife had a fever after delivery. Seven children‡ and one man died in his ship, and four children were born. Henry Sparkes§ had "a beautiful and comfortable voyage." Robert Rankin, and his wife, "were well used on board, and had a very fine captain and an excellent man for a doctor. We had more rations than we could use. We saved a considerable quantity of flour, rice, split peas, biscuit, and tea. I had," adds Rankin, "not an hour's sickness on board."

I have not failed to seek for some complaints,

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* Kingscote, Aug. 27, 1838, xviii.

† Sept. 10, ib.

‡ It is well known that the average mortality is greatest during infancy. On board the Canadian vessels the emigrants, generally speaking, have, I believe, been older than those to South Australia; and their numbers included a larger portion of single persons. There would, therefore, be fewer children.

§ July 24, 1838, xx.

which one might expect to have found. Accordingly, Scown, in praising his own captain, says vaguely, that others had complaints to make. A cabin passenger, a lady from Lancaster, talks of "uncivil behaviour" on the part of the captain of the vessel in which she took her voyage. But the most sweeping accusations are those put forth by Mr Leigh, a surgeon employed by the South Australian Company, who describes the situation of the emigrants on board the vessel under his care in the most melancholy terms. If, however, the emigrants were so miserably bestowed as he says, it is surprising that there was no mortality to enlarge his category of disasters. But his book bears obvious marks of exaggeration and imperfect information, at least as to South Australian matters. And were it otherwise, his allegations do not touch the system adopted by the Commissioners, who had no more to do with the vessel to which Mr. Leigh was appointed than to hand over compensation to the Company for having, in the transport of its own servants, landed so many emigrants in the colony. The question raised by Mr Leigh is one entirely between himself and the Company; and, judging from the internal evidence in his volume, I have little difficulty in believing that the Company can satisfactorily answer his charges.

There is one other complaint that has come to my knowledge. It is conveyed in a letter from an emigrant; but for reasons connected with our judicious law of libel, I must not mention names or dates. The writer says, that the captain behaved ill, though he does not say precisely in what way. Inquiries were instituted by the Emigration Agent in the colony, and a deduction was made from the sum due to the captain; and a compensation was allowed to the letter writer for a part of his provisions of which he had been defrauded. It is not said, however, that the provisions on the voyage were actually insufficient, and no disease is said to have prevailed on board. The honourable exactness of the Commissioners' officers is highly spoken of by the writer, who says, he has heard of similar complaints of one, and but one captain. While famine and disease therefore cast the spell of a "Night-mare-Life-in-Death" over the unhappy voyagers to Canada, plenty, health, and comfort attend the South Australian settler to his new country.

"The evils of the Canadian system have, however, been greatly mitigated," says the Report, "by two measures of the Provincial government: first the application of a tax upon passengers from the United Kingdom, to providing shelter, medical attendance, and the means of further transport to destitute emigrants; secondly, the establishment of the Quarantine Station at Grosse Isle, a desert island some

miles below Quebec, where all vessels arriving with cases of contagious disease are detained; the diseased persons are removed to an hospital, and emigrants not affected with disease are landed, and subjected to some discipline for the purpose of cleanliness; the ship also being cleaned while they remained on shore. By these arrangements the accumulation of wretched paupers at Quebec, and the spread of contagious disease, are prevented. An arrangement, made only in 1837, whereby the Quarantine physician at Grosse Isle decides whether or not an emigrant ship shall be detained there or proceed on its voyage, has, to use the words of Dr Poole, 'operated as a premium to care and attention on the part of the captain, and has had a salutary effect on the comfort of the emigrants.'"

"I cordially rejoice," says the High Commissioner, "in these improvements, but would observe that the chief means by which the good has been accomplished indicates the greatness of the evil that remains. The necessity of a Quarantine establishment, for preventing the importation of contagious disease from Britain to her colonies, as if the emigrants had departed from one of those eastern countries which are the home of the plague, shows, beyond a doubt, either that our system of emigration is most defective, or that it is most carelessly administered."

And it is no less remarkable, too, that the most efficacious remedy for the evils under which the system labours, in a country which has large and fertile tracts peopled in the proportion of one inhabitant to every 10 square miles, should be a facility to reemigrate! Even this boon, however, does not appear to be discreetly bestowed: "Nearly all," says the Report, "that

is done for the advantaae of poor emigrants, after they have passed the Lazaretto, is performed by the Quebec and Montreal Emigrants' Societies"—benevolent societies which cannot be too highly praised, but possessing neither the responsibility nor effective power of a government establishment.

None of these frightful precautions are necessary in South Australia: the emigrants are selected in a state of health; they are preserved, ordinary contingencies excepted, in a state of health; and they are landed in a state of health. They are delivered by the Surgeon Superintendant to the Emigration Agent in the colony, who, as we have seen, examines them as to the attention they have received during the voyage. The Agent then unships them and their luggage, seven clear working days being allowed for debarkation; conveys them to Emigration Square, a comfortable set of cottages in Adelaide, where they are fed and lodged gratuitously until they obtain work,—which, I have already shown, is not a period of any great length. Should they, however, chance to be disappointed in procuring engagements elsewhere, they are furnished with employment on the government works. Several of the settlers, whose letters I have quoted, mention, in terms of the warmest gratitude, the liberality of the arrangements made for their

reception in the colony; and if we may trust the accounts of friends and foes, neither the landing places at Port Adelaide, nor the streets of the chief town, exhibit the miserable crowd of destitute paupers, waiting to die or to re-emigrate, which burden the quays and streets of Quebec. One of Mr James's complaints is, that everybody at the Port was too busy to attend to him; and in a letter which has just been received, a settler likens the streets of Adelaide on a Saturday night, with its bustling customers, well lighted shops, and busy tradespeople, to the streets of London; but we hear of no beggars. As for the Lazaretto of South Australia, it is—nowhere. Port Adelaide can boast of no magnificence so Asiatic as to possess such a public building.

We have now landed our emigrants on either shore. The last paragraph but one of Lord Durham's report is a striking story of what becomes of not the most destitute of Canadian emigrants, after he has once reached his adopted country:

"The most striking example, however, of the want of system and precaution on the part of government is that of the old soldiers, termed commuted pensioners, of whom nearly 3,000 reached the colonies in the years 1832 and 1833. A full description of the fate of these unfortunate people will be found in the evidence of Mr Davidson and

others. Many of them landed in Quebec before the instructions had been received in the colony to pay them the sums to which they were to be entitled on their arrival, and even before the Provincial government knew of their departure from England. Many of them spent the amount of their commutation money in debauchery, or were robbed of it when intoxicated. Many never attempted to settle upon the land awarded to them; and of those who made the attempt several were unable to discover whereabouts in the wilderness their grants were situated. Many of them sold their right to the land for a mere trifle, and were left, within a few weeks of their arrival, in a state of absolute want. Of the whole number who landed in the colony probably not one in three attempted to establish themselves on their grants, and not one in six remain settled there at the present time; the remainder generally lingered in the vicinity of the principal towns, where they contrived to pick up a subsistence by begging and occasional labour. Great numbers perished miserably in the two years of cholera, or from diseases engendered by exposure and privations, and aggravated by their dissolute habits. The majority of them have at length disappeared. The situation of those who survive calls loudly for some measure of immediate relief; it is one of extreme destitution and suffering. Their land is almost entirely useless, and they cannot obtain any adequate employment either as farm labourers or as domestic servants. At the commencement of every winter, therefore, they are thrown upon the charity of individuals. In the Upper Province their situation is equally deplorable, and numbers must have perished from absolute starvation, if they had not been fed by the Provincial Government."

These poor creatures cannot strictly be called "persons of no influence," since they had in-

fluence enough to obtain a grant of land. What a mockery of possession! With these men, of the poorer classes, but so far favoured as to have procured the nominal possession of some land, contrast the penniless labourers, the paupers, who are now landholders in South Australia; no longer "persons of no influence," because in South Australia industry, moderate industry, is quite sufficient to obtain very considerable influence.

Justice is not done to the colony of South Australia, or to its founders, if it is supposed that any natural advantages, its excellent soil, the pleasant face of the country, or its unequalled climate, are the real attractions to emigration. In climate Canada is inferior; but it far surpasses even our favoured colony in the deep riches of its soil, and the abundance and admirable disposition of its water communication.

"No portion of the American continent," says the High Commissioner, in one of the most eloquent passages of his Report, "possesses greater natural resources for the maintenance of large and flourishing communities. An almost boundless range of the richest soil still remains unsettled, and may be rendered available for the purposes of agriculture. The wealth of inexhaustible forests of the best timber in America, and of extensive regions of the most valuable minerals, has, as yet, been scarcely touched. Along the whole line of sea-coast, around each island, and

in every river, are to be found the greatest and richest fisheries in the world. The best fuel and the most abundant water-power are available for the coarser manufactures, for which an easy and certain market will be found. Trade with other continents is favoured by the possession of a large number of safe and spacious harbours; long, deep, and numerous rivers, and vast inland seas, supply the means of easy intercourse; and the structure of the country generally affords the utmost facility for every species of communication by land. Unbounded materials of agricultural, commercial, and manufacturing industry are there: it depends upon the present decision of the Imperial Legislature to determine for whose benefit they are to be rendered available. The country which has founded and maintained these colonies at a vast expense of blood and treasure, may justly expect its compensation in turning their unappropriated resources to the account of its own redundant population; they are the rightful patrimony of the English people, the ample appanage which God and Nature have set aside in the New World for those lot has assigned them but insufficient portions in the Old."

From this glorious picture of teeming riches offered to the children of Britain, turn to our own island, with its family of millions hemmed into a little space such as never before contained such numbers. Hands cross one another as the insufficient harvest is torn from the narrow soil, and brother wounds brother in the struggle for the gleaner's pittance. What remedy for this congested state of the nation so obvious, so instant, and so efficacious as emigration? Nor

is the disposition to emigrate wanting. We have seen that tens of thousands yearly seek room and plenty in Canada, where, truly enough, there is plenty for them. But no sooner is their foot upon the land, than a phantom starts up to drive them away. There is the land groaning under the burden of its own riches, which cries for *people!* There are the people clamouring for *land!* But a preposterous figment places a spell upon the ground, a fictitious pre-occupation withholds the soil from its best occupiers. There is land in boundless abundance, literally *dirt cheap;* but the people must not buy! There are people more than *dirt cheap,* at a discount, and yet they cannot be hired!

Turn we from this useless abundance and gratuitous want to South Australia. There an excellent soil offers itself without let or hindrance, to the settler; a constantly increasing crowd of labourers offer themselves to the land. No figment of imaginary occupation interposes. The settler steps upon the land, and turns the shore of the South Sea to a new England. Land is worth all it will bring; man is worth all he can do. No deserts abutted by St Giles's, no lounging paupers, no fœtid quarantine stations, shock the eye of the emigrant and chill his heart. What Englishmen want is there, and there are

the Englishmen to enjoy. The truth is becoming gradually known; the emigration to South Australia last year emulated that to Canada.

Lord Durham does not simply expose the evils under which Canada is suffering; he suggests remedies. Two plans upon which a remedial system may be based are discussed in Mr Charles Buller's special report—a plan of escheats, and a tax upon wild lands. It is clearly shown that the former would be unjust and impracticable; for in many cases the conditions of grant, such as they are, have been performed; and where it is otherwise, the conditions themselves being impossible to fulfil, it would savour more of the killing letter than of the life-giving spirit of justice, to condemn the land granted under those conditions to forfeiture.

A tax upon wild lands is approved of by several witnesses, and among others by Mr Stayner. Mr Buller then recommends that a tax be imposed, to the amount of 2*d.* an acre; that land itself be taken in commutation for the tax, in lots of not less than 100 acres each; that, to equalize the operation of the tax, which will be laid indifferently on better and inferior land, all kinds of land be taken in lieu of money-payments, in discharge of the tax, at an equal

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fixed estimate of 4s. per acre; that in default of the payment of the tax for two years, the land in respect of which such default has occurred shall escheat to the crown; that on a re-sale of land so escheated, 4s. per acre, *minus* the amount of land-tax due at the time of the escheat, shall be paid to the owner; that all reserves be thrown open to sale; that the price of land to be sold by government be fixed at 10s. per acre; that the funds accruing from the sale of land and the granting of timber licences be devoted in part to public works which are calculated to facilitate settlement, such as roads, canals, rail-roads, and the improvement of navigable waters, and in part to the gratuitous transport of emigrants; that the benefits of these remedies be hastened by means of a loan; and that a board of commissioners be specially appointed to carry out the measures recommended. The price of 10s. is not suggested as abstractedly the best, but as the best which the circumstances of the case will permit, considering the abundance of saleable land in private hands, and the proximity of the United States, where a lower price prevails. These measures, of which I have necessarily given a very meagre and imperfect outline, appear to me calculated to afford the most likely means of arresting the

progress of the evil, and eventually of removing the evil altogether. Such a happy consummation, however, must be a work of time.

Meanwhile, the vent of emigration, such as it was, in Canada, has been nearly suppressed, and some new channel must speedily be found. But does not such a channel already exist? In South Australia none of the evils which Lord Durham has so forcibly described in Canada beset the land and deter the settler. We have seen how free for the labouring emigrant is the passage to the new colony, how free the labour market, and how free the ultimate acquisition of land; we have seen how the controul exercised over the appropriation of land permanently places that great staple of colonial wealth at a higher standard, giving a higher point whence its value and that of all other commodities in which the capitalist deals, is maintained in a steady and rapid advance. We have seen, on the other hand, how difficult and dangerous to the labouring emigrant has been the passage to Canada, how inaccessible and precarious the labour market, how all but impossible the ultimate acquisition of land; and we have seen how the absence of all controul on the appropriation of land operates in permanently placing that great staple of colonial wealth at a low

standard, continually depressing its value and that of other commodities in which the capitalist may seek to deal. In utter contempt of that ingenious theory which supposes the aggregate of profits and wages always to equal some unknown absolute amount, and the only variation of amount to be in the ratio which each bears to the other, profits and wages are nullified under the Canadian no-system; capitalists and workmen dispute not about their proportion of receipts, for there is nothing to share.*

Of course cases of individual prosperity may be found, just as in South Australia (subject to the chances of mortality) may be found cases of individual adversity; but the exception cannot invalidate the general conclusion, that, while it is the want of a sound system of colonization which has wasted the fertile lands of Canada, and the substance and toil of its settlers, it is

* This is, of course, said generally. I am aware that wages are at very high rates in some parts of Canada, where there are scarcely any workmen to receive them. But as regards the great mass of emigrants, who lounge about the towns which receive them on landing, and who form the balance to the one soul in ten square miles in the general average, the case must obviously be as it is described in the text.

the presence of a sound system in South Australia which serves to develope the full value of its excellent land, to bless the toil of its labourer with a redundant harvest, and to multiply the substa. . of its capitalist a hundredfold.

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